

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

RODNEY DES JARDINS,

Plaintiff,

Case No. 2:19-cv-00252

v.

Hon. Paul L. Maloney

COMMUNITY ACTION ALGER  
MARQUETTE,

Defendant.

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**STIPULATED ORDER STAYING PROCEEDINGS  
PENDING RESOLUTION OF DEFENDANT'S MOTION FOR  
RECONSIDERATION AND PLAINTIFF'S ANTICIPATED APPEAL**

This matter is before the Court by stipulation of the parties as evidenced by the signatures as follows:

1. The Court's Amended Case Management Order (ECF No. 26, PageID.446) sets trial date in this matter for October 18, 2021, at 8:45 AM, and

schedules the Settlement Conference/Final Pretrial Conference for October 6, 2021 (ECF No. 26, PageID. 446).

2. Defendant's Motion for Summary Judgment (ECF No. 23, PageID.79), filed on March 30, 2021, was decided by the Court on September 23, 2021. The Court granted in part and denied in part that motion (ECF No. 32, PageID.695-710).

3. Defendant filed a Motion for Reconsideration with the Court on September 28, 2021, which has not yet been decided (ECF No. 34, PageID.712-721).

4. Plaintiff intends to file a Notice of Appeal on the dismissal of his claims for relief under the Americans with Disabilities Act, Age Discrimination in Employment Act, and the Family and Medical Leave Act for interference. He has delayed filing his Notice of Appeal pending the outcome of the parties current ongoing settlement discussions. He will file the Notice of Appeal within the applicable time period in the event settlement discussions fail.

5. The parties agree that continuing with the proceedings while Defendant's Motion for Reconsideration is pending and Plaintiff anticipates appealing the Court's September 23, 2021 Opinion would be ineffective, inefficient, and wasteful of judicial resources, with the exception of the Settlement Conference, which is currently scheduled for October 6, 2021 at 2:30 pm. Thus, the parties are asking this Court to stay the proceedings, including Trial, pending the outcome of both Defendant's Motion to For Reconsideration and Plaintiff's Appeal, if it is filed.

The parties believe continuing with the Settlement Conference would be beneficial for settlement purposes.

6. The proceedings in this matter are hereby stayed and all dates, with the exception of the Settlement Conference, adjourned until resolution of Defendant's Motion for Reconsideration and Plaintiff's anticipated Appeal.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

Approved as to form and substance:

/s Sandra Hanshaw Burink  
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